

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
Nashville Division**

L.W., by and through her parents and next friends, Samantha Williams and Brian Williams, *et al.*,

*Plaintiffs,*

and

UNITED STATES OF AMERICA,

*Plaintiff-Intervenor,*

v.

JONATHAN SKRMETTI, in his official capacity as the Tennessee Attorney General and Reporter, *et al.*,

*Defendants.*

**Civil No. 3:23-cv-00376**

**Judge Richardson**

**Judge Newbern**

**PLAINTIFFS' UNOPPOSED MOTION TO (I) STRIKE THE UNREDACTED  
DECLARATION OF DAVID BETHEA, ESQ. IN SUPPORT OF PLAINTIFFS' REPLY IN  
SUPPORT OF MOTION FOR PRELIMINARY INJUNCTION AT ECF NO. 145;  
(II) PUBLICLY FILE A REDACTED VERSION OF THE BETHEA DECLARATION;  
AND (III) FILE UNDER SEAL PORTIONS OF THE BETHEA DECLARATION AND  
EXHIBITS ATTACHED THERETO**

Plaintiffs hereby move for leave to (i) strike the unredacted Declaration of David Bethea, Esq. in Support of Plaintiffs' Reply in Support of Motion for Preliminary Injunction [ECF No. 145] (the "Bethea Declaration"), (ii) publicly file a redacted version of the Bethea Declaration, and (iii) file under seal (a) Exhibits A, B and C, attached to the Bethea Declaration in their entirety; and (b) an unredacted version of the Bethea Declaration.

On June 1, 2023, Plaintiffs filed the Bethea Declaration with three partially redacted documents attached as Exhibits A, B, and C thereto. Shortly after the Bethea Declaration was

filed, Plaintiffs determined that Exhibits A, B, and C to the Bethea Declaration contain confidential and sensitive information and agreed with Defendants that the documents should be treated as Confidential pursuant to the Agreed Protective Order Regarding Confidential Information [ECF No. 87] entered in this case and should therefore be sealed from the public record pursuant to the terms of that Order.

Given the foregoing, Plaintiffs now seek leave to (i) strike the unredacted Bethea Declaration currently filed at ECF No. 145, (ii) publicly file a redacted version of the Bethea Declaration, and (iii) file the confidential documents under seal, as well as an unredacted version of the Bethea Declaration. The relief is necessary and narrowly tailed to protect the information contained in the documents from public disclosure.

Plaintiffs have conferred with Defendants and plaintiff-intervenor the United States of America, and no party opposes the relief sought in this motion.

Accordingly, Plaintiffs respectfully submit that the motion to seal should be GRANTED.

Dated: June 7, 2023

/s/ Stella Yarbrough

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Respectfully submitted,

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### **CERTIFICATE OF SERVICE**

I hereby certify that on June 7, 2023, the undersigned filed the foregoing motion to seal via this Court's electronic filing system, which sent notice of such filing to the following counsel of record:

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